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DEPARTMENT OF PLANNING AND LAND USE

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NEGATIVE DECLARATION

July 10, 2008

Project Name: Valley View Casino Site Plan and Rezone Off Site Parking Lot

Project Number(s): R04-017, STP06-004, Log Number 04-09-014

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for

Land Use and Planning
Water Quality (Stormwater Management Plan)
Air Quality
Traffic/Circulation
Drainage
Noise
Aesthetics

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period, and; on the basis of the whole record before the decision-making body (including this Negative

Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.

2. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

A. Prior to obtaining any building, grading, or other permit pursuant to this Site Plan, and prior to commencement of construction or use of the property in reliance on this Site Plan, the applicant shall:

1. Dedicate right-of-way along the project frontage for public road to fifty-three feet (53') on project side of the ultimate centerline plus slope and drainage rights for Valley Center Road (SF 639), which is shown on the Circulation Element of the County General Plan as a Collector Road with Bike Lane, with thirty-foot (30') radius property line corner rounding at the southwest corner of Valley Center Road / Lake Wohlford Road intersection. The outer ten feet (10') of road right-of-way along the Project side of Valley Center Road is for non-motorized transportation and recreation purposes. Any offer of dedication or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required at the time of recordation of any subsequent parcel map or subdivision map filed on the property or the affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works.
2. Execute an Irrevocable Offer to Dedicate Real Property to the County along the project frontage for fifty-three feet (53') on project side of the ultimate centerline plus slope and drainage rights for Valley Center Road (SF 639) from the School Bus Road westerly to the northwest corner of the property, which is shown on the Circulation Element of the County General Plan as a Collector Road with Bike Lane, with twenty-foot (20') radius property line corner rounding at Valley Center Road and School Bus Road intersection. The outer ten feet (10') of road right-of-way along the Project side of Valley Center Road is for non-motorized transportation and recreation purposes. Any offer of dedication or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required at the time of recordation of any subsequent parcel map or subdivision map

filed on the property or the affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works.

3. Execute a lien agreement to improve North Lake Wohlford Road (SA 130) along the project frontage in accordance with Public Collector Road Standards with Bike Lane to a graded width of sixty-feet (60') from centerline with forty-five feet (45') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk, with face of curb at forty-five feet (45') from centerline. Construct widening to provide separate fourteen-foot (14') wide, (seven-foot (7'), half width from the centerline) left turn lane from northbound Lake Wohlford Road to westbound Valley Center Road. Provide taper transitions constructed to meet existing improvements. Improve the outer ten feet (10') of road right-of-way as a pathway in conformance with County Public Road Standards, and at grade or above ground utilities will not be placed within the outer ten feet (10') of road right-of-way. Provide asphalt concrete (A.C.) pavement over approved base pavement widening for pocket and transitions, and asphalt concrete dike taper to existing pavement. All of the above shall be to the satisfaction of the Director of Public Works. The extra five feet (5') of pavement width is to accommodate a bike lane and 13' wide adjoining lane (sec 7.3, Public Road Standards). This lien agreement against the property is granted to the County of San Diego as security in lieu of the immediate installation of the full standard street improvements. It shall declare that present and future owners of this property construct the street improvements in the future.
4. Execute a lien agreement to improve Valley Center Road (SF 639) along the project frontage in accordance with Public Collector Road Standards with Bike Lane to a graded width of fifty-three feet (53') from centerline with forty-five feet (45') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk, with face of curb at forty-five feet (45') from centerline. Construct widening to provide separate fourteen-foot (14') wide, (seven-foot (7'), half width from the centerline) left turn lane from westbound Valley Center Road to northbound Thudernut Lane. Provide taper transitions constructed to meet existing improvements. Improve the outer ten feet (10') of road right-of-way as a pathway in conformance with County Public Road Standards, and at grade or above ground utilities will not be placed within the outer ten feet (10') of road right-of-way. Provide asphalt concrete (A.C.) pavement over approved base pavement widening for pocket and transitions, and asphalt concrete dike taper to existing pavement. All of the above shall be to the satisfaction of the Director of Public Works. The extra six feet (6') of pavement width is to accommodate a bike lane and

13' wide adjoining lane (sec 7.3, Public Road Standards). The extra five feet (5') of graded width is to accommodate pathway. This lien agreement against the property is granted to the County of San Diego as security in lieu of the immediate installation of the full standard street improvements. It shall declare that present and future owners of this property construct the street improvements in the future.

5. The project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
6. Obtain a signed statement from a registered civil engineer, a registered traffic engineer, or a licensed land surveyor that: "Physically, there is a minimum unobstructed sight distance in both directions along Valley Center Road from project access driveway ("School Bus Road"), for the prevailing operating speed of traffic on Valley Center Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)." Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
7. Obtain a signed statement from a registered civil engineer, a registered traffic engineer, or a licensed land surveyor that: "Physically, there is a minimum unobstructed sight distance in both directions along N. Lake Wohlford Road from the proposed project access driveway, for the prevailing operating speed of traffic on N. Lake Wohlford Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)." Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
8. Comply with street lighting requirements as follows:
 - a. Allow transfer of the property subject to REZ 04-017 into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer.
9. By separate document, the applicant shall execute and record a dedication to the County of San Diego of an up to 10 foot non-motorized

trail easement over those portions of the trail that will occur on private property, as shown on STP 06-004 Plot Plan dated March 6, 2007 on file with the Department of Planning and Land Use.

10. To the satisfaction of the Directors of Public Works and Parks and Recreation, improve or agree to improve the trails/pathways to a width of ten feet (10-feet) as indicated on STP 06-004 Plot Plan dated March 6, 2007 on file with the Department of Planning and Land Use. The trails and pathways shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines. [DPR]
11. Provide evidence to the satisfaction of the Director of Public Works (DPW) and/or the Director of Planning and Land Use (DPLU) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Air Quality Conditions)

- a. "The site grading is subject to the following conditions to reduce, or improve air quality from dust particulate generated from grading."
 1. "Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the project limits."
 2. "Grading is to be terminated in winds exceed 25 mph."
 3. "Sweepers and water trucks shall be used to control dust and debris at public street access points."
 4. "Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures."
 5. "Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading" (unnumbered design measure)."
 6. "All generators or portable equipment with a 50hp or greater engine must be permitted by the San Diego Air Pollution Control District."
12. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the

requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
- d. Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
- e. The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
- f. Landscape plans shall be in substantial conformance with the approved conceptual landscape plan.
- g. Prior to submittal of final landscape plans, the applicant shall obtain an encroachment permit through the Department of Public Works for tree planting within the public rights-of-ways along Valley Center Road and Lake Wohlford Rd.. Please contact the Departments' Construction/Road Right-of-Way division at (858) 694-3275 for further instructions and submittal requirements. Proof of this permit

shall be required upon submittal of the construction document set of landscape plans.

ADOPTION STATEMENT: This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

San Diego County Board of Supervisors

on _____

Richard Grunow, Planning Manager
Regulatory Planning Division

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